

**“Christmas gift suggestions:**

**To your enemy, forgiveness.**

**To an opponent, tolerance.**

**To a friend, your heart.**

**To a customer, service.**

**To all, charity.**

**To every child, a good example.**

**To yourself, respect.”**

**Oren Arnold**

NOTICE OF THE SEVENTEENTH REGULAR MEETING OF THE 2011-2012  
COMMON COUNCIL AT 7:00 P.M., MONDAY, DECEMBER 5, 2011, IN THE  
COUNCIL CHAMBERS OF CITY HALL.

AGENDA

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

MAYOR’S APPOINTMENTS

CONFIRMATION OF MAYOR’S APPOINTMENTS

PUBLIC FORUM

MAYOR’S ANNOUNCEMENTS

HEARING

A hearing regarding adopting the Comprehensive Plan of  
the City of Sheboygan, Wisconsin.

CONSENT AGENDA

17 - 1 - An R. O. by the Bd. of Contractors Examiners  
submitting applications for Building Contractor  
Licenses already granted.

17 - 2 - An R. O. by the City Plan Commission recommending  
granting Joseph E. and Kathleen E. Jantz the  
privilege of encroaching on portions of N. 15<sup>th</sup> St.  
located at N. 15<sup>th</sup> St. and Wisconsin Ave. for the  
purpose of paving a parking lot (1418 Wisconsin  
Ave.) and passing the attached Substitute  
Ordinance.

1. Subs. of Gen. Ord. No. 42-11-12 by Ald.  
Kittelton and Kath granting Joseph E. and  
Kathleen E. Jantz the privilege of encroaching  
on portions of N. 15<sup>th</sup> St. located at N. 15<sup>th</sup>  
St. and Wisconsin Ave. for the purpose of  
paving a parking lot (1418 Wisconsin Ave.)

- 17 - 3 - An R. O. by the City Plan Commission recommending granting Joseph E. and Kathleen E. Jantz the privilege of encroaching on portions of N. 14<sup>th</sup> St. and Wisconsin Ave. for the purpose of paving a parking lot (910 N. 14<sup>th</sup> St.) and passing the attached Substitute Ordinance.
  - 1. Subs. of Gen. Ord. No. 43-11-12 by Ald. Kittelson and Kath granting Joseph E. and Kathleen E. Jantz the privilege of encroaching on portions of N. 14<sup>th</sup> St. and Wisconsin Ave. for the purpose of paving a parking lot (910 N. 14<sup>th</sup> St.)
- 17 - 4 - An R. O. by the Redevelopment Authority recommending filing document submitting a communication from the Kettle Moraine Corvette Club requesting permission to hold their Custom Car Show on the grounds at the cul de sac at the east end of South Pier Dr. in August 2012 and approving the request contingent upon the execution of a hold harmless agreement.
- 17 - 5 - A Res. by Ald. Hammond expressing intent to exercise its police powers in levying a special assessment for the 2011 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 1.
- 17 - 6 - A Res. by Ald. Hammond expressing intent to exercise its police powers in levying a special assessment for the 2011 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 2.
- 17 - 7 - A Res. by Ald. Hammond expressing intent to exercise its police powers in levying a special assessment for the 2011 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 4.
- 17 - 8 - A Res. by Ald. Hammond expressing intent to exercise its police powers in levying a special assessment for the 2011 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 5.
- 17 - 9 - An R. C. by Pub. Prot. & Safety recommending filing document submitting a request from Mary Turk asking for signage to be put near the crosswalk/curb in front of the Alpine condos at 928 Wisconsin Ave. and approving the request.

- 17 - 10 - An R. C. by Sp. Com. on Risk Mgmt. recommending denying claim from Juana Hernandez for alleged damages to his vehicle when a tree fell and damaged his car and directing the City Atty. to send a Notice of Disallowance.
- 17 - 11 - An R. C. by Pub. Wks. recommending filing document submitting a communication from Van Der Vaart, Inc., requesting permission to put up "Attention Getter" signs on City-owned property during The Sheboygan Home Expo 2012 to be held at Blue Line Ice Center and approving the request.
- 17 - 12 - A R. C. by Sp. Com. on Risk Mgmt. recommending filing document submitting a claim from Ernest Evraets for alleged injuries when he tripped on the uneven sidewalk near N. 6<sup>th</sup> St. and St. Clair Ave.
- 17 - 13 - An R. C. by Law and Licensing recommending granting various licenses.
- 17 - 14 - An R. C. by Pub. Prot. & Safety recommending executing the Lease Agreement on behalf of the Sheboygan Police Department as lead agency for the Sheboygan County MEG Unit with Sheboygan County for administrative space.
  - 1. Res. No. 104-11-12 by Ald. Kittelson executing the Lease Agreement on behalf of the Sheboygan Police Department as lead agency for the Sheboygan County MEG Unit with Sheboygan County for administrative space.
- 17 - 15 - An R. C. by Pub. Prot. & Safety recommending executing the Joint Powers Agreement for Sheboygan County and City of Sheboygan 911 Emergency Systems.
  - 1. Res. No. 105-11-12 by Ald. Kittelson executing the Joint Powers Agreement for Sheboygan County and City of Sheboygan 911 Emergency Systems.
- 17 - 16 - An R. C. by Pub. Wks. recommending entering into Amendment No. 1 to the Agreement for Engineering Svcs. for S. 18<sup>th</sup> St. Reconstruction Project between the City of Sheboygan and Robert E. Lee & Associates, Inc.
  - 1. Res. No. 106-11-12 by Ald. Bohren entering into Amendment No. 1 to the Agreement for Engineering Svcs. for S. 18<sup>th</sup> St. Reconstruction Project between the City of Sheboygan and Robert E. Lee & Associates, Inc.

- 17 - 17 - An R. C. by Pub. Wks. recommending entering into Amendment No. 2 to the Agreement for Engineering Services for Center Ave., New York Ave., Wisconsin Ave., N. 6<sup>th</sup> St. (Part A); Wisconsin Ave., Washington Ct. and N. 5<sup>th</sup> St. (Part B) between the City of Sheboygan and Robert E. Lee & Associates, Inc.
1. Res. No. 107-11-12 by Ald. Bohren entering into Amendment No. 2 to the Agreement for Engineering Services for Center Ave., New York Ave., Wisconsin Ave., N. 6<sup>th</sup> St. (Part A); Wisconsin Ave., Washington Ct. and N. 5<sup>th</sup> St. (Part B) between the City of Sheboygan and Robert E. Lee & Associates, Inc.
- 17 - 18 - An R. C. by Pub. Wks. recommending entering into Amendment No. 3 to the Agreement for Engineering Services for Huron Ave. from N. 10<sup>th</sup> St. to N. 14<sup>th</sup> St. between the City of Sheboygan and Robert E. Lee & Associates, Inc.
1. Res. No. 108-11-12 by Ald. Bohren entering into Amendment No. 3 to the Agreement for Engineering Services for Huron Ave. from N. 10<sup>th</sup> St. to N. 14<sup>th</sup> St. between the City of Sheboygan and Robert E. Lee & Associates, Inc.
- 17 - 19 - An R. C. by Pub. Prot. & Safety recommending amending the Municipal Code so as to create Sec. 26-46 relating to the registration of vacant buildings.
1. Gen. Ord. No. 49-11-12 by Ald. Kittelson amending the Municipal Code so as to create Sec. 26-46 relating to the registration of vacant buildings.
- 17 - 20 - An R. C. by Pub. Prot. & Safety recommending relating to stop signs so as to require north and southbound traffic on N. 5<sup>th</sup> St. to stop at the intersection with Washington Ct.
1. Gen. Ord. No. 50-11-12 by Ald. Kittelson relating to stop signs so as to require north and southbound traffic on N. 5<sup>th</sup> St. to stop at the intersection with Washington Ct.
- 17 - 21 - An R. C. by Pub. Prot. & Safety recommending amending the Municipal Code so as to create Sec. 26-45 relating to the provision of a local operator for certain properties.
1. Gen. Ord. No. 51-11-12 by Ald. Kittelson amending the Municipal Code so as to create Sec. 26-45 relating to the provision of a local operator for certain properties.

REPORTS OF OFFICERS II

- 17 - 22 - By the City Clerk submitting the petition, a timeline together with a report of the results of the Recall of Mayor Ryan Petition and Certification of Sufficiency of the petition.

Lies Over to Dec. 19<sup>th</sup>:

- 17 - 23 - By the City Plan Commission amending the zoning map to change the Use District Classification of property located at 1426 N. 28<sup>th</sup> St. from SC Suburban Commercial to MR-8 Mixed Residential-8 District Classification.

1. Gen. Ord. No. 48-11-12 by Ald. Sampson amending the zoning map to change the Use District Classification of property located at 1426 N. 28<sup>th</sup> St. from SC Suburban Commercial to MR-8 Mixed Residential-8 District Classification.

To Be Referred:

- 17 - 24 - By the City Clerk submitting a communication from the Executive Board of the Above and Beyond Museum requesting an encroachment on the property located at 902 N. 8<sup>th</sup> St. in order to build a ship coming out of the building. CITY PLAN COMMISSION

- 17 - 25 - By the City Clerk submitting a communication from RCS Empowers requesting a painted crosswalk pavement marking across Geele Ave. between N. 15<sup>th</sup> St. and Calumet Dr. PUBLIC PROTECTION AND SAFETY

- 17 - 26 - By the City Clerk submitting a communication from Anthony McDaniel requesting a waiver from the Sex Offender Residency restriction in order to live at 1913 N. 15<sup>th</sup> St. PUBLIC PROTECTION AND SAFETY

- 17 - 27 - By the City Clerk submitting a communication from Andrew Sarber requesting a waiver from the Sex Offender Residency restriction in order to live at 1537 N. 11<sup>th</sup> St. until Dec. 16<sup>th</sup> when he will be moving out of the City. PUBLIC PROTECTION AND SAFETY

- 17 - 28 - By the City Clerk submitting a communication from Christopher Jolitz requesting a waiver from the Sex Offender Residency restriction in order to live at 422 Huron Ave. PUBLIC PROTECTION AND SAFETY

- 17 - 29 - By the City Clerk submitting a communication from James Madison Elementary School making various requests regarding the safety on the streets surrounding the school. PUBLIC PROTECTION AND SAFETY
- 17 - 30 - By the Dep. Fin. Dir./Treas. submitting the Harbor Centre Marina Balance Sheet from operations dated Oct. 31, 2011, as submitted by Skipper Marine. MARINA AND HARBOR
- 17 - 31 - By the Fire Chief submitting his report of departmental activity for the period commencing July 1, 2011, and ending Sept. 30, 2011. PUBLIC PROTECTION AND SAFETY

#### RESOLUTIONS INTRODUCED III

- 17 - 32 - By Ald. VanderWeele authorizing the City Atty. to engage the services of special outside legal counsel to represent Law & Licensing Committee and the Common Council with regard to a quasi-judicial hearing regarding the suspension/revocation of Beverage Operator's License No. 6011 and authorizing payment for said services.

#### To Be Referred:

- 17 - 33 - By Ald. Sampson authorizing the appropriate City officials to execute the Reservation of Restrictions required by the DNR Stewardship Program upon the City-owned Gateway Neighborhood Park Parcel (NE corner of N. 10<sup>th</sup> St. and Erie Ave.) CITY PLAN COMMISSION
- 17 - 34 - By Ald. Hammond, Versey and Sampson approving the Capital Improvements Program recommended by the Capital Improvements Commission, for the program period of 2012 and adopting the program for implementation. CITY PLAN COMMISSION

#### REPORT OF COMMITTEE IX

- 17 - 35 - By Pub. Wks. who met and discussed a copy of Gen. Ord. No. 52-11-12 by Ald. Roeseler, Versey, Kittelson, Sampson and Dekker amending Sec. 29-75 of the 1975 Sheboygan Municipal Code so as to add a position to the Table of Organization in the Dept. of Pub. Wks. and recommends various changes to the Ordinance and the job description.

ORDINANCE INTRODUCED X

To Be Referred:

- 17 - 36 - By Ald. Sampson and Matichek granting Above and Beyond Corporation the privilege of encroaching upon portions of Niagara Ave. located at 902 N. 8<sup>th</sup> St. for the purpose of an overhang encroachment. CITY PLAN COMMISSION

MATTERS LAID OVER XI

- 14 - 38 - Gen. Ord. No. 36-11-12 by Ald. Sampson adopting the Comprehensive Plan of the City of Sheboygan, Wisconsin.
- 16 - 40 - Gen. Ord. No. 47-11-12 by Ald. Roeseler, Versey, Kittelson, Sampson and Dekker amending the Municipal Code so as to delete/add various positions from the Human Resources Table of Organization and Finance Department Table of Organization.

OTHER MATTERS AUTHORIZED BY LAW

- 17 - 37 - An R. O. by the City Clerk granting various licenses.
- 17 - 38 - An R. O. by the City Clerk submitting a claim from Laurie Entringer for alleged damages to her vehicle when she drove over an island at Wilgus Rd. and Taylor Dr. SPECIAL COMMITTEE ON RISK MANAGEMENT
- 17 - 39 - An R. O. by the City Clerk submitting a claim from Carol Butzen for alleged injuries when she twisted and sprained her ankle and wrist in a pothole walking in the crosswalk at Superior Ave. and N. 11<sup>th</sup> St. SPECIAL COMMITTEE ON RISK MANAGEMENT

**"MOTION TO CONVENE IN CLOSED SESSION** under the exemption provided in Sec. 19.85(1)(e), Wis. Stats., for the purpose of deliberating the sale by the Redevelopment Authority of certain RDA owned land, where competitive and bargaining reasons require a closed session."

**RECONVENE IN OPEN SESSION**

"Possible action on items discussed in closed session."

ADJOURN

SUSAN RICHARDS  
City Clerk

SCR

Persons with disabilities who need accommodations to attend the meeting should contact the City Clerk's Office, at 828 Center Ave., Susan Richards, at 459-3361, as soon as possible.

In compliance with Wisconsin Law as it relates to Open  
Meeting Laws, the agenda has been posted in  
the following locations:  
City Hall 1<sup>st</sup> floor  
Mead Public Library  
Sheboygan Cty. Admin. Bldg.  
City's website